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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/618,266	07/11/2003	Arto Suomi	944-001.113	3940

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EXAMINER

PHAN, TRI H

ART UNIT

PAPER NUMBER

2616

DATE MAILED: 09/21/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

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<b>Office Action Summary</b>	<b>Application No.</b> 10/618,266	<b>Applicant(s)</b> SUOMI, ARTO	
	<b>Examiner</b> Tri H. Phan	<b>Art Unit</b> 2616	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 03 July 2006.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-22 is/are pending in the application.  
     4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-7, 11-14 and 17-20 is/are allowed.
- 6) ☐ Claim(s) 8-10 and 21 is/are rejected.
- 7) ☐ Claim(s) 15, 16 and 22 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
     a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Response to Amendment/Arguments*

1. This Office Action is in response to the Response/Amendment filed on July 3<sup>rd</sup>, 2006.

New claims 13-22 are added. Claims 1-22 are now pending in the application.

### *Claim Rejections - 35 USC § 103*

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 8-10 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Suumäki et al.** (U.S.6,590,905).

- Regarding claims 8-9 and 21, Suumäki discloses, the *method* (see claim 8) *and the telecommunication network* (see claim 9) *adapted for communicating with a user equipment 'UE' device* ('mobile station' in figure 2A), *the network including a radio access network and providing general packet radio service 'GPRS'* (For example see figures 1A and 2A), *the telecommunication network adapted for indicating to the UE device a change in a service access point identifier 'SAPI' connection from an old SAPI to a new SAPI* ('XID renegotiation request'; col. 2, lines 17-24; wherein, although Suumäki does not explicitly disclose about the "SAPI", it is obvious that changing different parameters for different compression algorithms in the

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‘XID/PDCP negotiation’ as disclosed in col. 1, lines 55-59; which use different connections with different SAPIs, e.g. “*old and new SAPIs*”, when the connections are reset, e.g. LLC, as disclosed in col. 2, lines 17-24), *the telecommunication network including: means for providing to the UE device a request to change to the new SAPI* (‘means for sending request’ in figure 12; col. 6, lines 1-6); *means for removing compressions from the old SAPI and means for providing compressions for the new SAPI* (‘means for using old or new parameters’; col. 7, lines 50-61; wherein the means for flipping the change indicator bit ‘C-bit’ indicates the use of new/old parameters for different compression algorithms, e.g. “*old/new SAPI*” ); *the method characterized by the network continuing to provide messages for the old SAPI after providing to the UE device the request to change to the new SAPI* (for example see figure 8; col. 6, lines 27-34) *and also providing the messages for the new SAPI* (for example see figure 8; col. 6, lines 35-38; col. 9, lines 19-23).

Thus it would have been obvious to the person of ordinary skill in the art at the time of the invention was made to provide the old/new SAPI in the Suumäki’s negotiation processes, with the motivation being to provide different connection end point identifiers in the LLC layer for different connections with different parameters disclosed in col. 3, lines 11-13; in order to change parameters during a connection through the XID/PDCP negotiation processes as disclosed in col. 3, lines 1-5.

- In regard to claim 10, Suumäki further discloses *the system comprising a UE device* (‘mobile station’ in figure 2A, ‘receiver device’ in figure 12) *and a telecommunication network*

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*including a radio access network and providing GPRS (figures 1A and 2A), wherein the telecommunication network is as in claim 9.*

***Response to Amendment/Arguments***

4. Applicant's arguments for claims 8-10 filed on July 3<sup>rd</sup>, 2006 have been fully considered but they are not persuasive.

In response to Applicant's argument for claims 8 and 9, that the Suumäki's reference fails to show a certain feature of Applicant's invention. It is noted that the feature upon which Applicant relies (e.g. the "*communicating using both old and new parameters for the same packets at the same time*";) is not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir.1993).

***Allowable Subject Matter***

5. Claims 1-4, 5-7, 11-14 and 17-20 are allowed as indicated with regard to applicant's arguments.

6. Claims 15-16 and 22 are objected to as being dependent upon a rejected base claim, but would be allowed if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Conclusion***

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

**Suumäki et al.** (U.S.6,847,610), **Harrison et al.** (U.S.6,128,717) and **Zhu et al.** (U.S. H2051) are all cited to show devices and methods for improving the management connections in the GPRS telecommunication architectures, which are considered pertinent to the claimed invention.

Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tri H. Phan, whose telephone number is (571) 272-3074. The examiner can normally be reached on M-F (8:00-4:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chi H. Pham can be reached on (571) 272-3179.

**Any response to this action should be mailed to:**

**Commissioner of Patents and Trademarks**

Washington, D.C. 20231

**or faxed to:**

**(571) 273-8300**

Hand-delivered responses should be brought to Randolph Building, 401 Dulany Street, Alexandria, VA 22314.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office, whose telephone number is (571) 272-2600.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Tri H. Phan  
September 18, 2006



CHI PHAM  
SUPERVISORY PATENT EXAMINER

9/18/06